

## § 47.2

## 14 CFR Ch. I (1–1–06 Edition)

### § 47.2 Definitions.

The following are definitions of terms used in this part:

*Act* means the Federal Aviation Act of 1958 (49 U.S.C. section 1301 *et seq.*).

*Resident alien* means an individual citizen of a foreign country lawfully admitted for permanent residence in the United States as an immigrant in conformity with the regulations of the Immigration and Naturalization Service of the Department of Justice (8 CFR Chapter 1).

*U.S. citizen* means one of the following:

(1) An individual who is a citizen of the United States or one of its possessions.

(2) A partnership of which each member is such an individual.

(3) A corporation or association created or organized under the laws of the United States or of any State, Territory, or possession of the United States, of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 percent of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions.

[Amdt. 47–20, 44 FR 61939, Oct. 29, 1979]

EFFECTIVE DATE NOTE: At 70 FR 244, Jan. 3, 2005, § 47.2 was amended by removing the definition of “Act”, effective concurrent with the date the Cape Town Treaty enters into force with respect to the United States.

### § 47.3 Registration required.

(a) Section 501(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1401 (b)) defines eligibility for registration as follows:

(b) An aircraft shall be eligible for registration if, but only if—

(1)(A) it is—

(i) owned by a citizen of the United States or by an individual citizen of a foreign country who has lawfully been admitted for permanent residence in the United States; or

(ii) owned by a corporation (other than a corporation which is a citizen of the United States) lawfully organized and doing business under the laws of the United States or any State thereof so long as such aircraft is based and primarily used in the United States; and

(B) it is not registered under the laws of any foreign country; or

(2) it is an aircraft of the Federal Government, or of a State, territory, or possession of the United States or the District of Columbia or a political subdivision thereof.

(b) No person may operate on aircraft that is eligible for registration under section 501 of the Federal Aviation Act of 1958 unless the aircraft—

(1) Has been registered by its owner;

(2) Is carrying aboard the temporary authorization required by § 47.31(b); or

(3) Is an aircraft of the Armed Forces.

(c) Governmental units are those named in paragraph (a) of this section and Puerto Rico.

[Doc. No. 7190, 31 FR 4495, Mar. 17, 1966, as amended by Amdt. 47–20, 44 FR 61939, Oct. 29, 1979]

EFFECTIVE DATE NOTE: At 70 FR 244, Jan. 3, 2005, § 47.3 was amended by revising paragraph (a) and paragraph (b) introductory text, effective concurrent with the date the Cape Town Treaty enters into force with respect to the United States. For the convenience of the user, the revised text is set forth as follows:

### § 47.3 Registration required.

(a) An aircraft may be registered under 49 U.S.C. 44103 only when the aircraft is—

(1) Not registered under the laws of a foreign country and is owned by—

(i) A citizen of the United States;

(ii) An individual citizen of a foreign country lawfully admitted for permanent residence in the United States; or

(iii) A corporation not a citizen of the United States when the corporation is organized and doing business under the laws of the United States or a State, and the aircraft is based and primarily used in the United States; or

(2) An aircraft of—

(i) The United States Government; or

(ii) A State, the District of Columbia, a territory or possession of the United States, or a political subdivision of a State, territory, or possession.

(b) No person may operate an aircraft that is eligible for registration under 49 U.S.C. 44101–44104, unless the aircraft—

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### § 47.5 Applicants.

(a) A person who wishes to register an aircraft in the United States must submit an Application for Aircraft Registration under this part.